

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : HON. WILLIAM H. WALLS
v. : Crim. No. 04-722 (WHW)
ANTHONY STEWART : **ORDER**

WHEREAS this matter came before the Court on the petition of the United States Attorney's Office (Jacques S. Pierre, Assistant United States Attorney, appearing) and the United States Probation Office ("USPO") for a hearing pursuant to 18 U.S.C. § 4243(g) regarding the failure of defendant Anthony Stewart (Kevin Carlucci, Assistant Federal Public Defender, appearing) to comply with certain conditions of his conditional release imposed on January 23, 2009; and

WHEREAS on November 27, 2012 this Court conducted a hearing and considered testimony of the Government's witness and documentary evidence; and for good cause shown;

THIS COURT FINDS that Anthony Stewart has failed to abide by the conditions of his conditional release, namely that he failed an alcohol test in or about April, 2012, and there is probable cause to believe that defendant Anthony Stewart continues to drink alcohol; and

THIS COURT FURTHER FINDS that in light of his failure to comply with the prescribed regimen of care and treatment, his continued release would create a substantial risk of bodily injury to another person or serious damage to property of another;

THEREFORE, IT IS, on this 19 day of December, 2012,

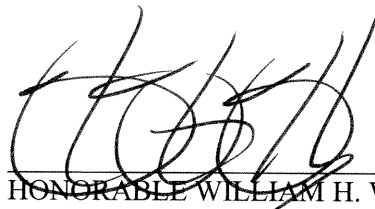
ORDERED that the conditional release of defendant Anthony Stewart imposed on January 23, 2009 is hereby revoked pursuant to 18 U.S.C. § 4243(g); and

IT IS FURTHER ORDERED that defendant Anthony Stewart is hereby committed to the custody of the Attorney General under 18 U.S.C. § 4243(e) until such time as Anthony Stewart's mental condition is such that his release, or his conditional release under a prescribed regimen of medical, psychiatric, or

psychological care or treatment, would not create a substantial risk of bodily injury to another person or serious damage to property of another person; and

IT IS FURTHER ORDERED that the Director of FMC-Devens will promptly file a certification with the Clerk of the Court as required under 18 U.S.C. § 4243(f) when the Director determines that Anthony Stewart has recovered from his mental disease or defect to such an extent that his release, or his conditional release under a prescribed regimen of medical, psychiatric, or psychological care or treatment, would no longer create a substantial risk of bodily injury to another person or serious damage to the property of another person.

IT IS FURTHER ORDERED that the Director of FMC-Devens will comply with the limitations on furloughs, as stated in 18 U.S.C. § 4243(h).

A handwritten signature in black ink, appearing to read 'W. H. Walls', is written over a horizontal line.

HONORABLE WILLIAM H. WALLS
UNITED STATES SENIOR DISTRICT JUDGE